की गई कि उच्च न्यायालय के न्यायाधीशों के विरुद्ध की गई शिकायतों के मामले में सम्बद्ध उच्च न्यायालय के मुख्य न्यायमूर्ति और उच्च न्यायालयों के मुख्य न्यायमूर्तियों या उच्चतम न्यायालय के न्यायाधीशों के विरुद्ध शिकायतों के मामले में उच्चतम न्यायालय के मुख्य न्याय-मूर्ति शिकायतों की जांच करेंगे और न्याय-पालिका के हितों को सर्वोच्च रखते हुए ऐसी उपयुक्त कार्रवाई करेंगे जो उचित समझी जाए।

(ग) जी, नहीं। तथापि, सरकार ने नीति के रूप में विधि आयोग की 80वीं रिपोर्ट में भी सिफारिशों को मंजूर कर लिया है कि ऐसी परिपाटी होनी चाहिए जिसके अनुसार प्रत्येक उच्च न्यायालय में ½ न्यायाधीश किसी अन्य राज्य से होने चाहिएं। सरकार ने विनिश्चय किया है कि इसे या तो बाहर से प्रारम्भिक नियुक्तियां करके या स्थानान्तरण करके लागू किया जा सकता है। इस दिशा में बाहर से उच्च न्यायालयों के मुख्य न्यायमूर्ति रखने की नीति को अपना कर एक शुरुआत की जा चुकी है। उच्च न्यायालयों के बाहर से अवर न्यायाधीशों की कुछ प्रारम्भिक नियुक्तियां भी की गई हैं और नीति को अपनाए जाने के पश्चात् कुछ न्यायाधीशों का एक उच्च न्यायालय से दूसरे में स्थानांतरण भी किया गया है।

570. *[Transferred to the 12th May,* 1992.]

Drafting of Private Members Bills by Ministry of Law, Justice and Company Affairs

571. SHRI SURESH PACHOURI : Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) whether Government are aware that in many countries abroad, the Ministry of Justice drafts Bills for the Private Members of the National Legislatures;

(b) if so, what are the details thereof;

(c) whether Government have any proposal to entrust the responsibility of drafting Of Private Members' Bills to the Legislative Department of the Government; and

(d) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARMAN-GALAM) : (a) and (b) Government are aware that in some countries abroad Government machinery renders some assistance to Private Members in drafting Bills to be introduced in their National Legislatures. The relevant information as far as can be gathered from Standard text books and other published works is as follows.

In the United Kingdom, as in most other countries, most legislation is initiated by the Government. Scope for legislative initiatives by individual M.P.'s is generally limited. The official draftsmen; i.e. Parliamentary Counsel, are responsible only for drafting of Government Bills. However, where Government is sympathetic to a Bill, it may sometimes offer the services of a draftsman to the member concerned, for which there is a substantial parliamentary support. It is also the practice that the first ten Members in the House of Commons successful in the ballot to decide which Members have priority in introducing Bills, are allowed certain expenses for drafting. In Canada, the Law Clerk and Parliamentary Councel of the House of Commons aid Members in the drafting of legislation. In Jordan, Member's Bills after preliminary examination by a competent Committte of the House of Deputies are submitted to the Government for drafting. In Switzerland, if the idea of a Bill in general terms is submitted, the proposal is referred to a Committee for drafting and distribution to Members of the Council and the Government. If the Bill is submitted in a fully drafted form, immediate distribution of the text to the Members of the Council and to the Government is organised and the text is referred to a Committee.

(c) No, Sir.

(d) The hands of the concerned Department are full with work relating to Government legislation and there is no scope for entrusting further work to it.